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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

VONTEAK ALEXANDER,

Defendant.

2:17-cr-72-RFB-1

STIPULATION TO CONTINUE
RESPONSE TO DEFENDANT
VONTEAK ALEXANDER'S
SECOND SEALED MOTION TO
SUPPRESS

IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, Acting United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the United States of America, and RACHEL KORENBLAT, counsel for defendant VONTEAK ALEXANDER, that the Government's response to defendant's Second Motion to Suppress in the above-captioned matter, which is currently set for, December 29, 2017, be continued to January 5, 2018.

This Stipulation is entered into for the following reasons:

1. Government counsel has been in trial and needs additional time to respond to the Defendant's motion.
2. Defense Counsel does not object to the continuance.

- 1 3. Denial of this request for continuance could result in a miscarriage of justice.
- 2 4. The additional time requested herein is not sought for purposes of delay, but to
- 3 allow for adequate and efficient response time to the defendant's motion.
- 4 5. This is the first request for a continuance of deadline for the Government to
- 5 respond to the defendant's Second Motion to Suppress.

6 DATED this 29th day of December, 2017.

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8 STEVEN W. MYHRE
Acting United States Attorney

9 //s//
10 ELHAM ROOHANI
Assistant United States Attorney

11 //s//
12 RACHEL KORENBLAT, ESQ.
13 Counsel for Defendant ALEXANDER

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1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 **-oOo-**

4 UNITED STATES OF AMERICA,

2:17-cr-72-RFB-1

5 Plaintiff,

ORDER

6 vs.

7 VONTEAK ALEXANDER,

8 Defendant.

9 **FINDINGS OF FACT**

10 Based on the pending Stipulation of counsel, and good cause appearing
11 therefore, the Court hereby finds that:

- 12 1. Government counsel has been in trial and needs additional time to respond to
13 the Defendant's motion.
- 14 2. Defense Counsel does not object to the continuance.
- 15 3. Denial of this request for continuance could result in a miscarriage of justice.
- 16 4. The additional time requested herein is not sought for purposes of delay, but to
17 allow for adequate and efficient response time to the defendant's motion.
- 18 5. This is the first request for a continuance of deadline for the Government to
19 respond to the defendant's Second Motion to Suppress.
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1 **CONCLUSIONS OF LAW**

2 Based on the fact that the parties have agreed to the continuance; and based on
3 the fact that denial of this request for continuance could result in a miscarriage of
4 justice, the Court hereby concludes that:

5 The ends of justice are served by granting said continuance, since the failure to
6 grant said continuance would be likely to result in a miscarriage of justice and would
7 deny adequate response to the pending motion to suppress, taking into account the
8 exercise of due diligence.

9 **ORDER**

10 IT IS THEREFORE ORDERED that the deadline for the Government to respond
11 to Defendant Vontek Alexander's Second Sealed Motion to Suppress is hereby reset to
12 January 5, 2018.

13 DATED: February 12, 2018.

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16 HONORABLE RICHARD F. BOULWARE
17 UNITED STATES DISTRICT JUDGE
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